

Serial No. 10/539,595

Amendment Dated: January 24, 2008

Reply to Office Action Mailed: June 3, 2008

Attorney Docket No. 095309.56365US

REMARKS

Applicants acknowledge that Claims 5, 12, and 13 have been withdrawn from consideration as being drawn to the non-elected species. Accordingly, the latter claims have been canceled, without prejudice, however, to applicant's right to have a reasonable number of species included in this application, should a generic claim be allowable. Should no generic claim be allowable, applicants reserve their right to submit one or more of the canceled claims in a divisional application.

In response to the objection to the specification, a substitute specification has been submitted herewith, which includes, among other revisions, the insertion of appropriate headings. Also, the Abstract of the Disclosure has been resubmitted on a separate page, as required, with the designation "Fig. 1" deleted. Accordingly, reconsideration and withdrawal of these grounds of objection are respectfully requested.

The drawings have been objected to under 37 C.F.R. § 1.183(a), for failing to show the spring-locking means 2a, and the fastening means 2b as described in the specification. In response to this ground of objection, the specification has been revised in paragraph [0042] of the substitute specification submitted herewith to eliminate unnecessary reference numerals. In particular, the phrase "spring locking means to 2a" has been changed to "a spring locking means

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(locking blocks 21 and 22 shown in greater detail in Fig. 4)." In addition, in the same paragraph, the phrase "fastening means 2b (fastening sleeves 23 and 24)" has been changed to "fastening means in the form of fastening sleeves 23 and 24". Moreover, all references to the "synchronizing unit 2c" have been revised throughout the specification, to eliminate the reference designation 2c. In this regard, it will be noted that the original specification at page 11, line 12, confirms that Figure 4 does illustrate the releasing unit.

In further response to the objection to the drawings, replacement sheets containing Figures 1-3, 5 and 6 have been submitted herewith, in which all occurrences of the reference designation 2c have been deleted for consistency with the specification. In addition, in Figure 1, the reference designation D has been changed to C and in Figure 3, the lead line for reference numeral 27 has been corrected in both cases in a manner that is consistent with the specification. Accordingly, reconsideration and withdrawal of the objection to the drawings is respectfully requested.

Claims 1-4 have been rejected under 35 U.S.C. § 102(e) as anticipated by Biller *et al.* (U.S. Patent No. 6,932,324), while Claims 6-9 have been rejected under 35 U.S.C. § 102(e) as anticipated by Mori *et al.* (U.S. Patent No. 7,108,284); and Claims 10-11 have been rejected under 35 U.S.C. § 102(b) as anticipated by Yano *et al.* (U.S. Patent No. 6,726,249).

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In response to the foregoing grounds of rejection, applicants note that the priority date of the present application is December 18, 2002, based on German Application No. DE 102 596 352, which precedes the U.S. filing date of both the Biller *et al.* and Mori *et al.* patents, filed on June 9, 2003 and July 9, 2003, respectively. Accordingly, applicants have perfected the claim to the priority of the German application by submitting a certified translation thereof with this response, and neither Biller *et al.* nor Mori *et al.* constitutes prior art with respect to the present application. In addition, applicants note for the sake of completeness that Biller *et al.* contains no disclosure which teaches or suggests the feature contained in the last paragraph of Claim 1 or the last paragraph of new Claim 14.

In the foregoing amendment Claim 1 has been revised extensively in order to place it in better form for prosecution according to U.S. practice. However, the revisions to Claim 1 do not significantly alter its scope.

With regard to the rejection of Claim 10 over the Yano *et al.* patent, applicants note that Claim 10 has been canceled and rewritten as new Claim 15, which defines a synchronizing unit for a seatbelt lock having a preventive tensioning device, in which the synchronizing unit includes first and second locking blocks mounted within a spring housing of a spring for driving the preventive tensioning device, such that they are rotatable relative to each other. In addition, Claim 15 further specifies that an axial end of the first locking block

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abuts and engages with an axial end of the second locking block under tension of the spring, while the final paragraph provides that locking and releasing of the preventive tensioning device are controlled by a relative rotational position of the first and second locking blocks.

Item 11 of the Office Action indicates that the Yano *et al.* patent discloses a preventive tensioning device for controlling tensioning, reversing, and locking operations which includes locking blocks such as recited in former Claim 10, referring in particular to elements 23 and 25 in Yano *et al.* As can be seen from Figures 1 and 2 of the Yano *et al.*, however, the “first gear 23” (Col. 3, line 48) and the “third gear 25” (Col 3. line 60) are not mounted within a spring housing of a spring for driving the preventive tensioning device. Moreover, they are also not mounted such that an axial end of the first locking block abuts and engages with an axial end of the second locking block under tension of such a spring. Finally, nothing in Yano *et al.* suggests that the locking and releasing of the preventive tensioning device are controlled by the relative rotational position of the gears 23 and 25. Indeed, Figures 1 and 2 show that they are not. Applicants respectfully submit, therefore, that Claim 15 distinguishes over Yano *et al.* Moreover, Claim 11 has been amended to depend on Claim 15, and therefore distinguishes over Yano *et al.* for the same reason.

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If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.56365US).

Respectfully submitted,



Gary R. Edwards
Registration No. 31,824

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
GRE:alw

Attachments: Abstract of the Disclosure
Replacement and Annotated Drawing Sheets
Substitute Specification and Marked Up Version Thereof

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